

**Notice of Allowability**

Application No.

10/694,430

Applicant(s)

YAMAMOTO ET AL.

Examiner

Andrae S. Allison

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 5/19/07.
2. ☒ The allowed claim(s) is/are 1, 2 and 4-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

JOSEPH MANCUSO  
SUPERVISORY PATENT EXAMINER

## DETAILED ACTION

### *Allowable Subject Matter*

1. The following is an examiner's statement of reasons for allowance: The most pertinent prior art is Tamotsu (US Patent No.: JP 11-134090) and Paul et al (US Patent No.: 7,050,606). Tamotsu discloses a hand pattern switch device comprising: recognizing a hand pattern therefrom and for detecting a hand motion from the picked-up image to obtain operation information for controlled objects. Tamotsu teaches a controlled object selecting means for selecting one of the controlled objects in accordance with at least one of the recognized hand pattern or a hand motion and detection mode selecting means for selecting one of a plurality of prescribed detecting modes as a mode of detecting the operation information based on the hand motion in dependence with the controlled object selected by the controlled object selecting means. Tamotsu also teaches instructed-operation recognizing section for controlling the controlled object selected by the controlled object selecting means based on the operation information detected with the detecting mode selected by the detection mode selecting means, wherein said plurality of prescribed detecting modes include: a moved distance detecting mode for detecting a moved distance of the hand in the image pickup zone. However Tamotsu does not expressly disclose a hand motion is detected from the image pickup within a predetermined image pickup zone. Paul disclose a system for controlling devices based on hand or body gestures wherein a hand motion is detected from the an image pickup within a predetermined image pickup zone. However, neither

Tamotsu or Paul disclose a stop time detecting mode for detecting a period of stop time of the hand held at a stop position, after the hand has been moved by a predetermined distance or more in the image pickup zone. The examiner finds no reason or motivation to combine the above references in an obvious rejection thus placing the application in condition for allowance.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statements of Reasons for Allowance."

### ***Conclusion***

The prior art made part of the record and not relied upon is considered pertinent to applicant's disclosure.

Imagawa et al (US Patent No.: 6,819,782) is cited to teach a system and method for recognizing hand shape and position.

Cohen et al (US Patent No.: 6,950,534) is cited to teach a gesture controlled interface device.

Higaki et al (US Patent No.: 6,804,396) is cited to teach gesture recognition system.

Cherveny, Kevin (US Patent No.: 6,564,144) is cited to teach a system and method for using a hand gesture responsive device.

Harakawa, Kenichi (US Patent No.: 6,434,255) is cited to teach a hand position apparatus.

***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrae S. Allison whose telephone number is (571) 270-1052. The examiner can normally be reached on Monday-Friday, 8:00 am - 5:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrae Allison

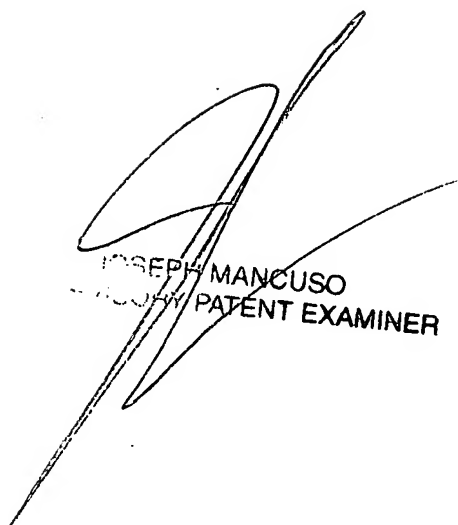
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May 29, 2007

A.A.

  
JOSEPH MANCUSO  
PATENT EXAMINER